APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,854	01/09/2002	William A. Hartselle	60027.0093US01	6891

39262	7590	03/02/2006

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EXAMINER
TANG, KAREN C

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2"></td><td rowspan="2">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td></tr>
<tr><td>10/042,854</td><td>HARTSELLE ET AL.</td></tr>
<tr><td></td><td></td><td>Examiner</td><td>Art Unit</td><td></td></tr>
<tr><td></td><td></td><td>Karen C. Tang</td><td>2151</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*12 December 2005*</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8-16 and 18-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8-16 and 18-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

- A request for continued examination under 37 CFR 1.114, including the fee set

  forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

  application is eligible for continued examination under 37 CFR 1.1 14, and the

  fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous

  Office action has been withdrawn pursuant to 37 CFR 1.1 14. Applicant's

  submission filed on 12/12/05 has been entered.

- Claims 1-6, 8-16, 18-30 are presented for further examination.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

I. Claims 1-6, 8-16, 18-30 are rejected under 35 U.S.C. 102(e) as being

anticipated by Ogilvie (US 6,711,608).

1. Referring to Claims 1, 8 and 19, Ogilvie disclosed a system for providing self-

destructing electronic mail messages (refer to Abstract), the system comprising: an

electronic mail server application operative to receive a request to transmit a self-

destructing electronic mail message (refer to Col 9, Lines 5-20), to transmit the self-

destructing electronic mail message to an electronic mail client application (218 and

202, refer to Fig 2), and to cause all instances of the self-destructing electronic mail

message to be destroyed after a period of time specified in the request (refer to Col 11,

Lines 40-50) and electronic mail client application operative to transmit the request to

the electronic mail server application (refer to Col 9, Lines 5-35), the request comprising

an electronic mail message body and specifying a period of time within which the self-

destructing electronic mail should be destroyed (refer to Col 11, Lines 40-50), wherein

the all instances of the self-destructing electronic mail message comprises a plurality of

electronic copies of the self-destructing electronic mail message stored in at least one of

the following: computer system memory and a mass storage device (refer to Col 4,

Lines 20-50, Col 9, Lines 20-60, and Col 11, Lines 1-15).

2. Referring to Claim 2, Ogilvie disclosed wherein the time period comprises an

indication that the self-destructing electronic mail message(refer to Abstract) should be

destroyed after it has been opened and closed on the electronic mail client application

(refer to Col 11, Lines 40-50 and Col 6, Lines 1-20).

3. Referring to Claims 3 and 28, Olgilvie disclosed further comprising; transmitting an

electronic mail message to the electronic mail client application (218 and 202, refer to

Fig 2) indicating that the self-destructing electronic mail message has been destroyed

after the destruction of the self-destructing electronic mail message (refer to Col 9,

Lines 40-67).

4. Referring to Claim 4, Olgilvie disclosed wherein the electronic mail message sent to

the electronic mail client application (218 and 202, refer to Fig 2) after the destruction of

the self-destructing electronic mail message comprises an identity of the sender of the

self-destructing electronic mail message (refer to Col 7, Lines 1-10) and an indication

that the self-destructing electronic mail message was sent and destroyed (refer to Col 9,

Lines 60-67 and Fig 2).

5. Referring to Claim 5, Olgilvie disclosed encrypting the self-destructing electronic mail

message prior to transmitting the self-destructing electronic mail message to the

electronic mail client application (refer to Col 7, Lines 10-25, and Col 10, Lines 20-35

and Col 9, Lines 5-20).

6. Referring to Claim 6, Olgilvie disclosed a computer-executable instructions which,

when executed by a computer (refer to Col 9, Lines 20-35 and Col 5, Lines 50-67, Col

6, Lines 1-10).

7. Referring to Claims 9 and 20, Olgilvie disclosed receiving a self-destructing electronic

mail message sent from the electronic mail server application (218 and 202, refer to Fig

2); and destroying all instances of the electronic mail message (refer to Abstract) sent

from the electronic mail server after a period of time specified in the self-destructing

electronic mail message has elapsed (refer to Col 11, Lines 40-50).

8. Referring to Claim 18, Ogilvie disclosed a computer-controlled apparatus capable of

performing (refer to Col 4, Lines 35-67).

9. Referring to Claims 10 and 21, Ogilvie disclosed wherein the electronic mail client application s further operative to prevent the self-destructing electronic mail message from being printed (refer to Col 10, Lines 64-67 and Col 11, Lines 1-15).

10. Referring to Claims 11 and 22, Ogilvie disclosed wherein the electronic mail client application is operative to prevent the self-destructing electronic mail message from being forwarded (refer to Col 7, Lines 25-45).

11. Referring to Claims 12 and 23, Ogilvie disclosed wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being saved (refer to Col 7, Lines 25-45).

12. Referring to Claims 13 and 24, Ogilvie discloes wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being moved (forwarding, refer to Col 7, Lines 25-40).

13. Referring to Claims 14 and 25, Ogilvie disclosed wherein the electronic mail client application is further operative to prevent the self-destructing electronic mail message from being copied or cut to a clipboard (refer to Col 11, Lines 10-20).

14. Referring to Claims 15 and 26, Ogilvie disclosed wherein the electronic mail client application is further operative to prevent a screen display containing the self-destructing electronic mail message from being captured (refer to Col 11, Lines 50-67 and Col 12, Lines 1-10).

15. Referring to Claim 27, Ogilvie disclosed wherein the period of time within which the self- destructing electronic mail message should be destroyed comprises an indication that the: self-destructing electronic mail message should be destroyed immediately after it has been read on the electronic mail client application (refer to Col 3, Lines 30-35 and Col 6, Lines 5-20).

16. Referring to Claim 29, Ogilvie disclosed wherein the electronic mail server application is I further operative to encrypt the self-destructing electronic mail message and wherein the electronic mail client application is operative to decrypt the self-destructing electronic mail message (refer to Col 7, Lines 10-25, and Col 10, Lines 20-35).

17. Referring to Claims 16 and 30, Ogilvie disclosed wherein the electronic mail client application is further operative to provide a security warming message ("remove from mail list", refer to Col 9, Lines 5-20) prior to transmitting the request in response to determining that an intended recipient of the self-destructing electronic mail message is located beyond a home domain associated with the electronic mail server application (it

is inherent that once the client has provide a message, the message itself will return the

message to the server of originator 200, that ensure the domain is associated with the

server and Col 10, Lines 35-50).

Response to Arguments

Applicant's arguments filed 12/12/05 have been fully considered but they are not

persuasive.

Applicant disclosed the cited art did not disclose wherein the all instances of the

self-destructing electronic mail message comprises a plurality of electronic copies of the

self-destructing electronic mail message stored in at least one of the following:

computer system memory and a mass storage device (refer to Col 4, Lines 20-50, Col

9, Lines 20-60, and Col 11, Lines 1-15).

Examiner respectfully traverse the argument. Ogilvie disclosed wherein the all

instances of the self-destructing electronic mail message comprises a plurality of

electronic copies of the self-destructing electronic mail message stored in at least one of

the following: computer system memory and a mass storage device (refer to Col 4,

Lines 20-50, Col 9, Lines 20-60, and Col 11, Lines 1-15).

Conclusion

A shortened statutory period for reply to this Office action is set to expire THREE

MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KT
Karen Tang
02/22/06

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER